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Quarterly Update for the Senate Committee on Business and Commerce January 25, 2013

Electric & Telecommunications Proceedings. OPUC provided legal representation for its clients, residential and small business electric and telephone customers, through the filing of motions, initiating and responding to discovery requests, attending hearings, filing expert testimony, cross-examining witnesses, advocating orally, and filing briefs, exceptions, and replies. The following are some of the more significant 2012 fourth quarter proceedings:

- Entergy Texas, Inc. (ETI) Rate Case (*Docket No. 39896*). The Public Utility Commission (PUC) issued a Final Order in mid-September 2012. Motions for rehearing were filed, and the PUC issued its Final Order on Rehearing in November 2012. The Order is currently on appeal.
- PUC Staff's Petition to Establish a Reasonable Rate for Basic Local Telecommunications Service (*Docket No. 40521*). The PUC issued its Final Order in late September 2012.
- Lone Star Transmission Rate Case (*Docket No. 40020*). The PUC issued a Final Order in December 2012. Motions for rehearing were filed, and the PUC issued its Final Order on Rehearing in January 2013.
- Cross Texas Transmission (*Docket No. 40604*) and Wind Energy Texas Transmission (*Docket No. 40606*) Rate Cases. Settlements were reached in both cases in November and December 2012, and the PUC issued its Final Orders in January 2013.
- Southwestern Electric Power Company (SWEPCO) Rate Case (*Docket No. 40443*). The rate application was filed with the PUC in July 2012. A procedural schedule has been established, and the hearing on the merits is scheduled for February 2013.
- Southwestern Public Service Company (SPS) Rate Case (*Docket No. 40824*). The rate application was filed with the PUC in November 2012. A procedural schedule has been established, and the hearing on the merits is scheduled for March 2013.
- Homeowners United Appeal of City of Austin (Austin Energy) Rate Ordinance (*Docket No. 40627*). Austin Energy filed its application on appeal in November 2012. A procedural schedule has been established, and the hearing on the merits is scheduled for March 2013.
- AT&T Texas' Request to Change Rates and Increase Lifeline Discount (*Docket No. 40970*). The PUC approved the request in December 2012.
- GTE Southwest Inc. dba Verizon Southwest's Request to Change Rates and Increase Lifeline Discount (*Docket No. 40997*). The PUC approved the request in December 2012.
- United Telephone Company of Texas, Inc. dba CenturyLink's Request to Change Rates and Increase Lifeline Discount (*Docket No. 41004*). The PUC approved the request in December 2012.

- Century Telephone Company of Texas dba Century Link's Request to Change Rates and Increase Lifeline Discount (*Docket No. 41005*). The PUC approved the request in December 2012.

Electric & Telecommunications Projects/Rulemakings. OPUC represented its clients in the following projects and rulemakings by analyzing issues, making recommendations, filing comments and reply comments, and by attending workshops and public hearings. Following are the 2012 fourth quarter proceedings:

- Rulemaking to Amend Energy Efficiency Rules (*Project No. 39674*). The PUC finalized the rule in October 2012.
- Rulemaking Relating to the Small and Rural Incumbent Local Exchange Company (ILEC) Universal Service Plan (*Project No. 39938*). The PUC finalized the rule in November 2012.
- Rulemaking Related to Voice Over Internet Protocol (VoIP) Services and Universal Service Fund (*Project No. 39717*). This ongoing rule relates to extending USF assessments to VoIP providers. The PUC is expected to finalize the rulemaking in early 2013.
- Project to Revise Earnings Monitoring Reports for Electric Utilities (*Project No. 39040*). The PUC approved the revisions to the report in December 2012, and the Order approving the changes was filed in January 2013.
- Rulemaking Concerning Recovery of Purchased Power Capacity Costs (*Project No. 39246*). OPUC filed comments in December 2012 and reply comments in January 2013 pertaining to PUC Staff's proposed rule. The PUC is expected to finalize the rulemaking in the first quarter of 2013.

Other OPUC Activities: OPUC continues to collaborate with the PUC, Electric Reliability Council of Texas, Texas Reliability Entity Inc., other state agencies, the military community, legislative offices, and pertinent stakeholders to examine issues related to resource adequacy, energy efficiency, advanced meters, and federal regulations impacting Texas utility consumers. Following are 2012 fourth quarter activities of interest:

- OPUC continued its in-person participation in a variety of community venues for a total of five meetings to communicate pertinent electric and telecommunications information with its constituents.
- OPUC conducted its Annual Meeting in Lufkin, Texas in November 2012. See <http://www.opuc.texas.gov/publications.html>.
- OPUC issued its Winter Newsletter in December 2012. See <http://www.opuc.texas.gov/opucnews.html>.
- OPUC provided its Fiscal Year 2012 Annual Report in January 2013 to the following committees/agency: Senate Business and Commerce, Senate Natural Resources, Senate Finance, House State Affairs, House Appropriations, and the Sunset Advisory Commission. See <http://www.opuc.texas.gov/reports.html>.